

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CENTRAL STATES, SOUTHEAST AND)
SOUTHWEST AREAS PENSION FUND,)
and HOWARD McDOUGALL, Trustee)
)
) No. 08 C 3819
)
Plaintiffs,) Judge Zagel
) Magistrate Judge Wilson
)
v.)
)
CHICAGOLAND QUAD CITIES)
EXPRESS, INC., an Illinois corporation,)
)
Defendant.)

MOTION TO EXTEND TIME OR OTHERWISE PLEAD

Now comes the attorneys for the Defendant, Chicagoland Quad Cities, Inc., Daniel V. Kinsella and Brian S. Hormozi move the Court for an extension to file their Answer to Complaint and in support thereof, states as follows:

1. Defendant has been unable to answer or otherwise plead in response to the Complaint because it is investigating facts underlying certain allegations of the Complaint involving employees who are no longer employed by it.
2. Defendant have already resolved some of the matters raised by the Complaint.
3. Defendant needs additional time to investigate those facts and to determine whether all matters can be resolved with Plaintiffs.

4. The Plaintiffs have no objection to this extension of time and would only request that his time for response be extended by a corresponding time period.

5. There will be no prejudice to the Plaintiffs if the time is extended.

6. The Plaintiffs has been notified by telephone, by fax and by e-mail of this motion.

Wherefore, the Defendant, Chicagoland Quad Cities Express, Inc. prays that he be granted an extension to and until August 26, 2008 to file his Answer to Complaint in this matter.

Respectfully Submitted,

By: s/ Daniel V. Kinsella
One of Its Attorneys for
Chicagoland Quad Cities, Inc.

Daniel V. Kinsella (ARDC #1468472)
Brian S. Hormozi (ARDC #6288254)
Schuyler Roche, P.C.
130 E. Randolph Street
Suite 3800
Chicago, IL 60601
(312) 565-2400